

REMARKS

Claims 1, 3, 6, 8-17, 19, 21 and 22 were pending, with claims 6 and 8-15 withdrawn. Claims 1, 16, and 21 are amended, and claim 23 is new. Support for these amended and new claims is found in the Applicants' specification (*see, e.g.*, U.S. Pat. App. Pub. 2008/0057260, ¶[0015]). No new matter has been added. Thus, claims 1, 3, 16, 17, 19, and 21-23 are presented for examination in view of the amendments and the following remarks.

Claims 1 and 3 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Pub. No. 2003/0143423 ("McCormick") in view of U.S. Pat. No. 6,710,542 ("Chun"). However, McCormick and Chun, alone or in any proper combination, have not been shown to have described or made obvious an encapsulation wherein a protective film includes a filler as recited in amended claim 1.

McCormick described "organic electronic devices that are encapsulated at least in part by adsorbent-loaded transfer adhesives."¹ In the cited embodiment, "[d]essicant-loaded transfer adhesive 22 forms a gasket around the OED structure covering its periphery, and is topped with encapsulation lid 24. Optional high barrier adhesive 26 encompasses transfer adhesive 22 and extends from substrate 12 to encapsulation lid 24."² McCormick described suitable high barrier adhesives as including epoxies, solvent based adhesives, one part curable adhesives, and UV curable adhesives.³ Thus, it is the Applicants' understanding that McCormick's high barrier adhesive 26 is not a protective film including a filler, as recited in amended claim 1.

Chun described an electroluminescent device 50 including a sealing layer 51 around the edge of a cover plate 18 or across the top of the cover plate 18.⁴ This sealing layer includes a layer of epoxy and a layer of SiNH that prevents water and oxygen from reaching a second electrode.⁵ However, it is the Applicants understanding Chun did not describe his sealing layer as including a filler and, therefore, does not cure the deficiencies of McCormick discussed

¹ McCormick, US 2003/0143423 A1, Abstract.

² *Id.*, ¶[0027].

³ *See, e.g., id.*, ¶[0041].

⁴ *See, e.g., id.*, 4:33-52.

⁵ *See, e.g., Chun*, 2:6-18.

above. Moreover, this is not a trivial distinction. For example, the Applicants recognized that a filler in a protective film can set a specific property profile, such as thermal conductivity, color and/or absorptive properties, in addition to providing insulation from moisture and/or oxygen.⁶

In view of the foregoing, McCormick and Chun, alone or in any proper combination, have not been shown to have described or made obvious each and every feature of amended claim 1 and, thus, do not form the basis of a *prima facie* case of obviousness of amended claim 1, from which claim 3 directly or indirectly depends. Accordingly, reconsideration and withdrawal of the rejection of claims 1 and 3 is respectfully requested.

Claims 16, 17, 19, 21 and 22 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Pat. No. 7,642,642 ("Fazzio") in view of Chun. However, Fazzio and Chun, alone or in any proper combination, have not been shown to have described or made obvious an encapsulation including a protective film includes a filler, as recited in amended claim 16.

Fazzio described an apparatus 40 including a device chip 20 including substrate 22.⁷ "A cap 30, including gasket 32, is bonded to the device chip 20 and the cap 30 define a hermetically sealed cavity 26."⁸ "The gasket 32 is attached to the substrate 22 using bonding agent 34 such as gold."⁹ "[I]n addition to the bonding agent 34, caulking agent 36 is used to seal the cavity 26."¹⁰ In the cited embodiment, shown in FIG. 3A, "the caulking agent 36 caulks and envelopes portions of or all of the bonding agent 34 and the gasket 32 which is a part of the cap 30."¹¹ "Various materials can be used as the caulking agent 36, for example, amorphous fluorocarbon polymer such as Cytop[®], polyimide materials, and benzocyclobutene (BCB) based materials."¹² It is the Applicant's understanding that Fazzio did not describe or make obvious a protective film including a filler, as recited in amended claim 16.

Chun was cited as having described a protective film that covers the entire exterior of the component, the use of a silicon nitride protective film, and/or the use of alternative layers of

⁶ See, e.g., U.S. 2008/0057260, ¶[0015].

⁷ See, e.g. Fazzio, 2:56-58.

⁸ *Id.*, 2:62-66.

⁹ *Id.*, 3:10-11.

¹⁰ *Id.*, 3:19-20.

¹¹ *Id.*, 3:43-45.

¹² *Id.*, 3:25-28.

organic material and inorganic material as the protective material. However, even if a person of ordinary skill in the art would have understood Chun to have described such features of a protective film, which the Applicants do not concede, Chun did not describe or make obvious a protective film including a film for the reasons discussed above with respect to claim 1.

In view of the foregoing, Fazzio and Chun, alone or in any proper combination, have not been shown to have described or made obvious each and every feature of amended claim 16 and, thus, do not form the basis of a *prima facie* case of obviousness of amended claim 16, from which claims 17, 19, 21, and 22 directly or indirectly depend. Accordingly, reconsideration and withdrawal of the rejection of claims 16, 17, 19, 21, and 22 is respectfully requested.

CONCLUSION

All of the dependent claims are patentable for at least similar reasons as those for the claims on which they depend are patentable. Canceled claims, if any, have been canceled without prejudice or disclaimer. Any circumstance in which the Applicants have (a) addressed certain comments of the Examiner does not mean that the Applicants concede other comments of the Examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the Applicants concede any of the Examiner's positions with respect to that claim or other claims.

No fee is believed to be due. Please apply any charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 12406-0225US1.

Applicant : Buchhauser et al.
Serial No. : 10/599,939
Filed : September 18, 2007
Page : 9 of 9

Attorney's Docket No.: 12406-0225US1 / P2006,1044 US N

Respectfully submitted,

Date: January 19, 2012

/John Paul Mello/

John Paul Mello

Reg. No. 61,400

Customer Number 26161
Fish & Richardson P.C.
Telephone: (617) 542-5070
Facsimile: (877) 769-7945

22724606.doc